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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,819	07/16/2002	Hironobu Oe	220052US6PCT	9371
22850	7590	09/16/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			CANTELMO, GREGG	
			ART UNIT	PAPER NUMBER
			1745	

DATE MAILED: 09/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/070,819	OE ET AL.	
	Examiner	Art Unit	
	Gregg Cantelmo	1745	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4 and 5 is/are rejected.
- 7) ☐ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/11/02 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03112002</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on July 10, 2000. It is noted, however, that applicant has not filed a certified copy of the Japanese application as required by 35 U.S.C. 119(b).

Information Disclosure Statement

2. The information disclosure statement filed March 11, 2002 has been placed in the application file and the information referred to therein has been considered as to the merits.

Drawings

3. Figures 10A-D, 11 and 12A-C should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: on page 2 at line 6 the term "contact" should be pluralized to --contacts--. Appropriate correction is required.

Claim Objections

5. Claim 2 objected to because of the following informalities: the term "a under surface" in line 2 should be --an under surface--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claim 5 recites the limitation "the under surface" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

9. Claims 1-2 and 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art relied upon in the instant application in view of U.S. patent No. 5,909,102 (Stone).

The admitted prior art of Figs. 10A-10D, 11 and 12A-12C disclose a receptacle for battery-using apparatuses comprising: a plug inserting removing portion 103, a

signal post 102 on the other side of the plug portion 103, electrode disposing portion 106 on the side of portion 103 which is provided with a contact for a battery 104 made of plate springs protruding in parallel with each other on a surface of said plug inserting/removing portion 103.

The battery contact of the admitted prior art comprises: a board connecting portion 104b to connect to a circuit board in the electronic device; a slant strip 104c complied with the board connecting portion which protrudes towards the electrode disposing portion 106 and is flexible toward the electrode disposing portion; an electrode contact portion 108 formed at the tip of slant strip 104c having a rough U-shape protruding from the rear surface of the electrode disposing portion and which comes into contact with the battery electrode (as applied to claim 1).

The receptacle has a housing space opened toward an under surface and top surface of the electrode disposing portion (Fig. 12 C as applied to claims 2 and 5).

The differences between the claims and the admitted prior art relied upon in the instant application are that the admitted prior art relied upon in the instant application does not teach of the electrode disposing portion provided with a contact for a battery protruding on a rear surface side of the plug inserting/removing portion (claim 1), of the housing space opened toward a rear surface side of the electrode disposing portion (claim 2) of the contacting electrode portion disposed on a front surface side of the electrode disposing portion (claim 4).

In the admitted prior art relied upon in the instant application the electrode disposing portion provided with a contact for a battery protruding is disposed on a top surface side of the plug inserting/removing portion (see Fig. 10B and 10D).

Stone discloses an electrode disposing portion provided with a contact for a battery wherein the electrode disposing portion is provided from a rear surface of the battery receptacle.

In providing the electrode disposing portion of Stone, the housing space would be opened toward a rear surface side of the electrode disposing portion and the contacting electrode portion would be disposed on the front surface side of the electrode disposing portion (as applied to claims 2 and 4-5).

This configuration provides a secure electrical contact between the battery and the electronic device.

Therefore it would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to modify the teachings of the admitted prior art relied upon in the instant application by providing an electrode disposing portion provided with a contact for a battery wherein the electrode disposing portion is provided from a rear surface of the battery receptacle as taught by Stone since it would have provided a secure electrical contact between the battery and the electronic device.

Allowable Subject Matter

10. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: none of the prior art of record appears to teach, fairly suggest or render obvious the invention of claim 3. In particular: of the receptacle as defined in claim 3 further comprising the contact, slant strip and notch hole arrangement as defined therein.

While the cited prior art of record teach of various slant strips and contacts none of the prior art of record are considered to teach or suggest the arrangement further defined in claim 3.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPAT No. 5,885,090 (Comstock) discloses an electrical connector. USPAT No. 6,354,870 (Timmerman) discloses an electrical connector. USPAT No. 6,077,130 (Hughes) discloses an electrical connector. USPAT No. 6,302,727 (Fedorjaka) discloses an electrical connector.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregg Cantelmo whose telephone number is (571) 272-1283. The examiner can normally be reached on Monday to Thursday from 9 a.m. to 6 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pat Ryan, can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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FAXES received after 4 p.m. will not be processed until the following business day.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregg Cantelmo
Primary Examiner
Art Unit 1745

gc

September 15, 2004